THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 23188 of 2007

Date:01-11-2007

Between:

Smt.Laxmi Bai

…Petitioner

AND

The Revenue Divisional Officer, Adilabad and three others

.. Respondents

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ORDER:

The petitioner seeks a writ of mandamus to direct the respondents herein not to dispossess her from the land bearing Sy.No.72 PP (Paiki) admeasuring Ac.15.00 guntas situated at Batti Savargaon village, Adilabad mandal, Adilabad District pursuant to the order passed by the 2nd respondent vide Proceedings No.C/11988/07, dated 15.10.2007 pending disposal of the appeal on the file of the 1st respondent which was filed along with stay petition on 30.10.2007 by declaring the action of the 1st respondent in not passing any orders to protect the interest of the petitioner i.e. for grant of stay of the orders passed by the 2nd respondent, as illegal and arbitrary.

It is the case of the petitioner that as against the orders passed by the second respondent in Proceedings No.C/11988/07, dated 15.10.2007 resuming the land bearing Sy.No.72 PP (Paiki) admeasuring Ac.15.00 guntas situated at Battisavargaon village, Adilabad mandal, Adilabad District to government, the petitioner filed an appeal before the first respondent along with the stay petition on 30.10.2007 and the same is pending on the file of the first respondent. It is stated that even before the appeal is disposed of, the respondents 2 and 4 are taking steps to dispossess the petitioner from her land.

Having regard to the facts of the case, the first respondent/Revenue Divisional Officer is directed to consider and dispose of the appeal filed by the petitioner against the order of the second respondent in Proceedings No.C/11988/07, dated 15.10.2007and pending disposal of the appeal, there shall be stay of dispossession.

With the aforesaid directions, the writ petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH, J.

Date:01.11.2007
ccm